

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
CHEROKEE NATIONAL FOREST

ORDER NO. 08-04-16-417

EMERGENCY FOREST-WIDE CLOSURE

"BUILDING, MAINTAINING OR USING FIRE"

Pursuant to the provisions of 16 U.S.C., Section 551, and Title 36 C.F.R., Section 261.50 (a), the following prohibition applies to all areas within the Cherokee National Forest. The area in question is approximately 655,500 acres in size located in 10 eastern Tennessee counties. The area in question is shown on the attached map.

Building, maintaining, attending or using fire, charcoal, or campfire outside of a developed recreational site. **Title 36, Section 261.52(a)**

Violating any state law concerning burning or fires, which are implemented for the purpose of preventing or restricting the spread of fire. **Title 36, Section 261.52(k)**

The above prohibited acts are set forth in Title 36 C.F.R. Sections 261.52 Fire

THE USE OF PORTABLE LANTERNS, STOVES OR HEATING EQUIPMENT THAT UTILIZE GAS, OR PRESSURIZED LIQUID FUEL IS ALLOWED.

Pursuant to 36 C.F.R. 261.50(e) the following persons are exempt from the above Prohibitions:

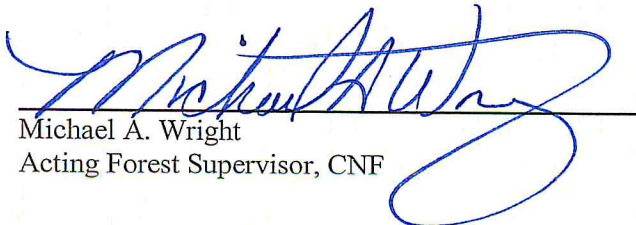
Any Federal, State or Local Officer, or member of an organized rescue or firefighting force engaged in the performance of an official duty

Any person with a permit specifically authorizing the act and or engaged in official administrative duties regarding National Forest Administration.

ORDER EXPIRES 90 DAYS FROM DATE OF SIGNATURE OR IF TERMINATED SOONER.

Prepared at Cleveland, Tennessee,

This 29th day of October, 2016



Michael A. Wright
Acting Forest Supervisor, CNF

Violations of the above prohibition set forth are punishable by a fine of not more than \$5,000 for an individual and \$10,000 for an organization or imprisonment for not more than six (6) months, or both. See 16 U.S.C. 551, 18 U.S.C. 3559 and 3571.

CIVIL RIGHTS, NEPA
CHEROKEE NATIONAL FOREST
SUPERVISORS ORDER
08-04-16-417

CIVIL RIGHTS:

Due to the current and predicted weather conditions in Eastern Tennessee, an immediate ban on building, maintaining, attending or using fire, charcoal, or campfire outside of a developed recreational site is needed for the protection of persons and property on the Cherokee National Forest (CNF). The area in question is approximately 655,500 acres in size located in 10 eastern Tennessee counties.

Major civil rights impacts are those consequences of proposed policy actions that, if implemented, would negatively and disproportionately affect groups or classes of people by virtue of their race, color, sex, national origin, age, religion, family status, or disability.

I have reviewed the order and find it to be consistent with policies previously in place on the CNF. I have considered the impact of this proposal on the civil rights of minorities, women, persons with disabilities, and other protected groups. In considering the effects of the proposed action, I have determined that the civil rights of any protected group or class of people would not be affected by this closure.

NEPA JUSTIFICATION:

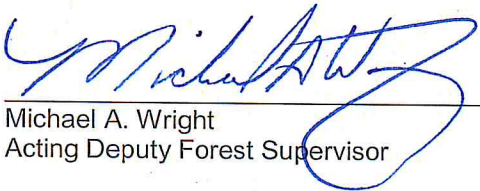
This action is consistent with the Revised Land and Resource Management Plan (2004), Cherokee National Forest and the action is categorically excluded from documentation in an environmental assessment or environmental impact statement as it falls within category (1) - Orders issued with the FSH 1909.15 Chapter 15-31 and pursuant to 36 CFR part 261 - Prohibitions to provide short-term resource protection or to protect public health and safety (36 CFR 220.6(d) (1).

Based on my review, the enclosed order is an administrative decision that will not require any ground-disturbing activities to take place. Since this action is administrative in nature and there are no extraordinary circumstances and fits the above referenced category, implementation may begin immediately. No additional NEPA documentation is required to proceed with implementation of this Order.

AGENCY: USDA Forest Service, Cherokee National Forest

Contact: Forest Supervisor

This 29th day of October, 2016



Michael A. Wright
Acting Deputy Forest Supervisor

